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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) CR No. 07-00698-MMC
Plaintiff,)
v.)
ALIREZA RAHMANI,)
Defendant.)

) STIPULATION AND [PROPOSED] ORDER
EXCLUDING TIME UNDER 18 U.S.C. § 3161

On November 9, 2007, the parties in this case appeared before the Court and stipulated that time from November 9, 2007 through November 16, 2007 should be excluded from Speedy Trial Act calculations because defense counsel wishes to view alleged child pornography seized from the defendant. Defense counsel and counsel for the United States must agree to a procedure that satisfies Title 18 U.S.C., Section 3509(m) to allow defense counsel to view those images. The parties represented to the Court that the length of the requested continuance was the reasonable amount of time necessary for effective preparation of defense counsel, taking into account the

1 exercise of due diligence. 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends
 2 of justice served by this continuance outweighed the best interests of the public and the defendant
 3 in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

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5 SO STIPULATED:

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Respectfully submitted,
 SCOTT N. SCHOOLS
 United States Attorney

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9 DATED: November 14, 2007

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16 As the Court found on November 9, 2007, and for the reasons stated above, the Court finds
 17 that the ends of justice served by the requested continuance outweigh the best interests of the
 18 public and the defendant in a speedy trial. The Court also finds that time from November 9,
 19 2007 through November 16, 2007 shall be excluded from Speedy Trial Act calculations for
 20 effective preparation of defense counsel. 18 U.S.C. §3161(h)(8)(A). Failing to grant the
 21 requested continuance would deny counsel reasonable time necessary for effective preparation,
 22 taking into account the exercise of due diligence, and would result in a miscarriage of justice. 18
 23 U.S.C. §3161(h)(8)(B)(iv).

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SO ORDERED.

DATED: November 14, 2007

/s/
 TAREK J. HELOU
 Assistant United States Attorney

/s/
 CARLYLE VARLACK
 Attorney for Defendant Alireza Rahmani

THE HONORABLE BERNARD ZIMMERMAN
 United States Magistrate Judge

